

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
LOCAL 3621, EMS OFFICERS UNION, DC-37, AFSCME,  
AFL-CIO, et al.,

Plaintiffs,

against

THE CITY OF NEW YORK, et al.,

Defendants.

CIVIL ACTION NO.: 18 Civ. 4476 (LJL) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

The Court resolved telephonically a discovery dispute that arose during a the continued deposition of one of Defendants' witnesses relating to questions Plaintiffs' counsel posed to the deponent that (1) referenced the deponent's testimony during the first part of his deposition, (2) inquired about Rule 30(b)(6) deposition topics, and (3) addressed recently produced documents. Defendants' counsel opposed the questions on the grounds that the questions were outside the scope of the continued deposition and directed the deponent not to answer.

The Court explained that it was not improper to refer back to a topic addressed earlier in the deposition, clarify answers in relation to the Rule 30(b)(6) topics, or ask the deponent about a newly-produced document. The Court reminded the parties of the limits of deposition objections and directed the parties to continue the deposition. See Cordero v. City of New York, No. 15 Civ. 3436 (JBW) (CLP), 2017 WL 2116699, at \*5 (E.D.N.Y. May 12, 2017) ("Rule 30(c)(2) of the Federal Rules of Civil Procedure provides that '[a]n objection [during a deposition] must be stated concisely in a nonargumentative and nonsuggestive manner. A person may instruct a deponent not to answer only when necessary to preserve a privilege, to enforce a limitation

ordered by the court, or to present a motion under Rule 30(d)(3).” (quoting Fed. R. Civ. P. 30(c)(2)).

The Court’s full ruling is reflected in the Court’s recording of the call, which can be made available for transcription at the parties’ request.

Dated: New York, New York  
November 18, 2020

SO ORDERED

  
SARAH L. CAVE  
United States Magistrate Judge